

1 BILL NO. Z-86-10-12

1 ZONING MAP ORDINANCE NO. Z- 15-86

2 AN ORDINANCE amending the City of  
3 Fort Wayne Zoning Map No. S-14.

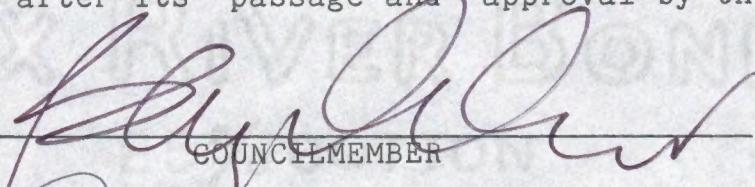
4 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF  
5 FORT WAYNE, INDIANA:

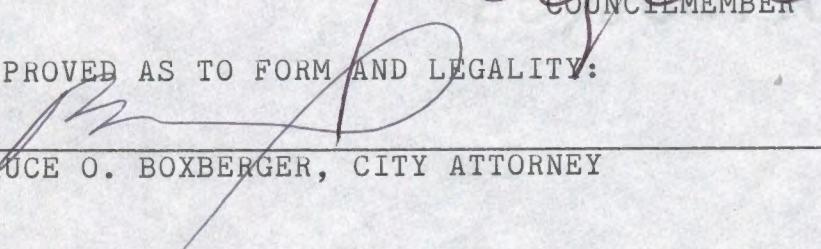
6 SECTION 1. That the area described as follows is  
7 hereby designated a P.O.D. (Professional Office District)  
8 under the terms of Chapter 33 of the Code of the City of  
9 Fort Wayne, Indiana of 1974:

10 The West 90.5 feet of the East 773.78 feet of the North  
11 962.5 feet of the East 1/2 of the Southeast 1/4 of  
12 Section 32, Township 31 North, Range 13 East, except  
that part conveyed for the widening of East State Blvd.

13 and the symbols of the City of Fort Wayne Zoning Map No.  
14 S-14, as established by Section 11 of Chapter 33 of the Code  
15 of the City of Fort Wayne, Indiana are hereby changed  
16 accordingly.

17 SECTION 2. That this Ordinance shall be in full force  
18 and effect from and after its passage and approval by the  
19 Mayor.

20   
COUNCILMEMBER

21 APPROVED AS TO FORM AND LEGALITY:  
22 

23 BRUCE O. BOXBERGER, CITY ATTORNEY

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Read the first time in full and on motion by Eisbark  
seconded by Stier, and duly adopted, read the second time  
by title and referred to the Committee Regulation (and the C  
Plan Commission for recommendation) and Public Hearing to be held after  
due legal notice, at the Council Chambers, City-County Building, Fort Wayne  
Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.,

DATE: 10-14-86

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Eisbark  
seconded by Stier, and duly adopted, placed on it  
passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>BRADBURY</u>	<u>✓</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>BURNS</u>	<u>✓</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>EISBART</u>	<u>✓</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>GiaQUINTA</u>	<u>✓</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>HENRY</u>	<u>✓</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>REDD</u>	<u>✓</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>SCHMIDT</u>	<u>✓</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>STIER</u>	<u>✓</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>TALARICO</u>	<u>✓</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>

DATE: 11-25-86

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)  
(SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. 3-15-86  
on the 25th day of November, 1986

ATTEST:

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

(SEAL)

Samuel J. Talarico  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana  
on the 26th day of November, 1986  
at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 26th day of November  
1986, at the hour of 11:00 o'clock A.M., E.S.T.

Win Moses, Jr.  
WIN MOSES, JR., MAYOR

## RECEIPT

COMMUNITY DEVELOPMENT &amp; PLANNING

No 1126

FT. WAYNE, IND.,

19

RECEIVED FROM

City of Fort Wayne \$ 50.00

THE SUM OF

\$

DOLLARS

ON ACCOUNT OF

fifty ~~8~~ <sup>00</sup> DOLLARS

rezoning - R-1 to P-3

4524 E. State

Parr.

AUTHORIZED SIGNATURE

RECEIPT NO. \_\_\_\_\_

DATE FILED \_\_\_\_\_

INTENDED USE \_\_\_\_\_

THIS IS TO BE FILED IN DUPLICATE

Paul E. Roy and Helen M. Roy  
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an R-1 District to a/~~an~~ P.O.D. District the property described as follows:

The West 90.5 feet of the East 773.78 feet of the North 962.5 feet

of the East 1/2 of the Southeast 1/4 of Section 32, except that part

conveyed for the widening of East State Blvd.

(more commonly known as 4524 E. State Blvd.)

(Legal Description) If additional space is needed, use reverse side.

ADDRESS OF PROPERTY IS TO BE INCLUDED:

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

Paul E. Roy

4524 E. State, Ft. Wayne, IN 46815

Helen M. Roy

4524 E. State, Ft. Wayne, IN 46815

(Name)

(Address)

(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by \_\_\_\_\_

(OFFICE USE ONLY)

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$50.00)

Name and address of the preparer, attorney or agent.

590 Lincoln Tower

William D. Swift

Ft. Wayne, IN 46802

(Name)

(Address & Zip Code)

423-4422

(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/427-1140).

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on October 14, 1986, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-86-10-12; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on October 20, 1986.

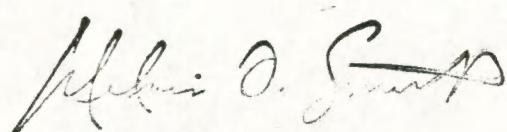
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

- (1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;
- (3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,
- (5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held October 27, 1986.

Certified and signed this  
6th day of November 1986.



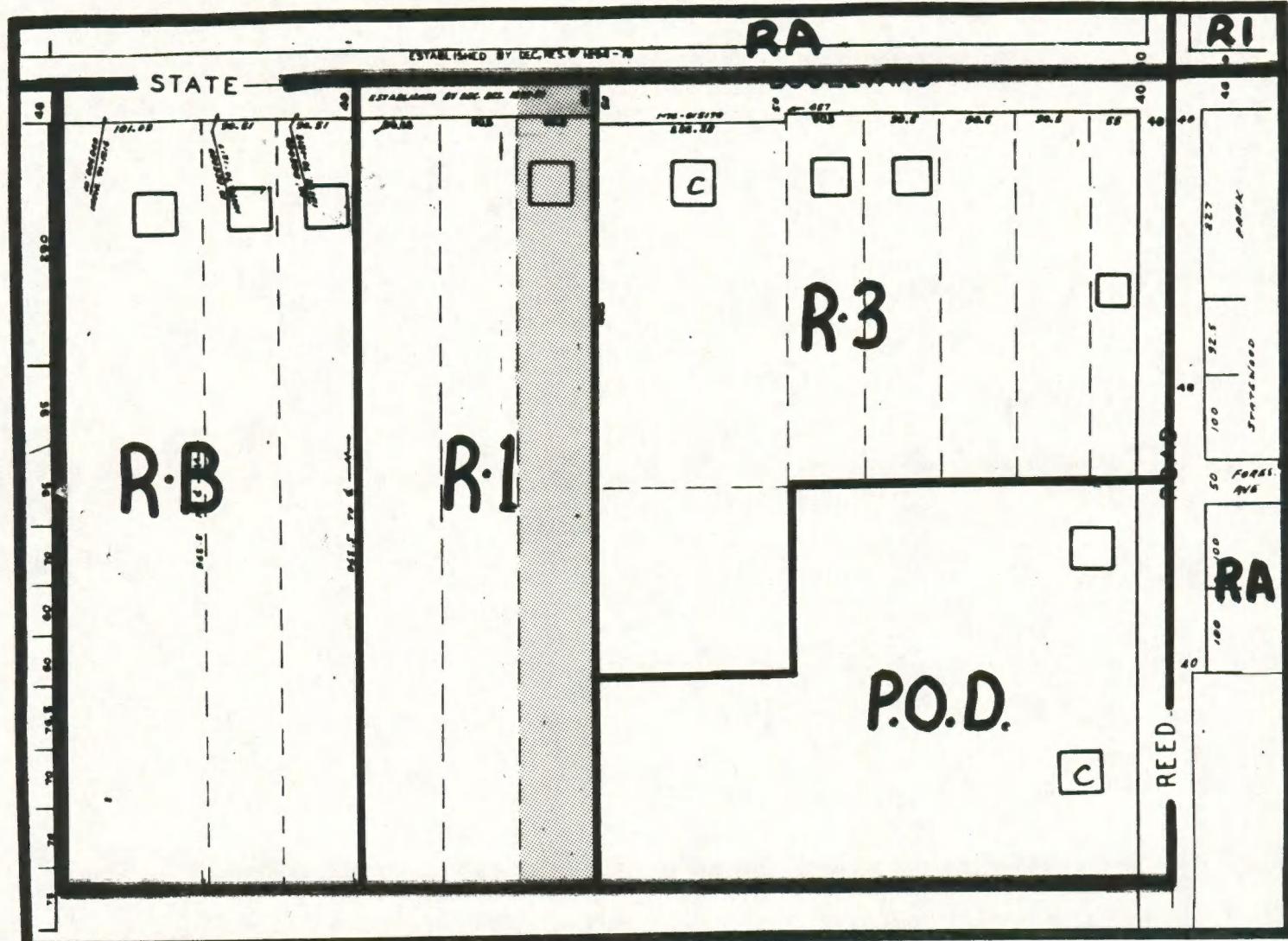
Melvin O. Smith  
Secretary

# REZONING PETITION

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM AN R.I TO A P.O.D. DISTRICT.

MAP NO. 5-14

COUNCILMANIC DISTRICT NO. 2



## ZONING:

- R1 RESIDENTIAL DISTRICT
- R3 RESIDENTIAL DISTRICT
- RA RESIDENCE 'A'
- RB RESIDENCE 'B'
- P.O.D. PROFESSIONAL OFFICE DISTRICT

## LAND USE:

- SINGLE FAMILY
- COMMERCIAL

SCALE: 1" = 200'

DATE: 8-28-86



# Division of Community Development & Planning

BILL NUMBER

BRIEF TITLE	APPROVAL DEADLINE	REASON																		
Zoning Ordinance Amendment From R-1 to POD																				
<b>DETAILS</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;"> <b>Specific Location and/or Address</b>             4524 E. State Bl         </td> <td style="width: 50%;"> <b>POSITIONS</b>            Sponsor            Area Affected         </td> <td style="width: 50%;"> <b>RECOMMENDATIONS</b>            City Plan Commission            City Wide            Other Areas         </td> </tr> <tr> <td> <b>Reason for Project</b>             To allow for expansion of a Professional Office District.         </td> <td> <b>Applicants/ Proponents</b>             Paul &amp; Helen Roy            City Department         </td> <td> <b>Applicant(s)</b>             Other         </td> </tr> <tr> <td> <b>Discussion (Including relationship to other Council actions)</b>   <u>20 October 1986 - Public Hearing</u>             William Swift, attorney for the petitioners stated that this parcel of ground is located immediately adjacent to what is now known as State/Reed Professional Office Park. Mr. Swift stated that the purpose of the rezoning is to incorporate this additional acreage as part of the overall development plan. He stated that the developers feel that having all of the property under the same zoning classification would make for a nicer and more uniform development consistent with the long range planning goals and it would also be a buffer for the commercial area to the west. Mr. Swift stated that they had no problem with the conditions stated in the staff analysis with the exception of the required setback on the west. He stated that they are requesting that they are requesting it be a 20 foot setback on the west. He stated that they do not intend to build in that 30 feet but would like to use it for parking             There was no one present who wished to speak in favor of or in opposition to the proposed rezoning.         </td> <td> <b>Opponents</b>   <b>Basis of Opposition</b> </td> <td> <b>Groups or Individuals</b> </td> </tr> <tr> <td></td> <td> <b>Staff Recommendation</b> </td> <td> <input checked="" type="checkbox"/> For      <input type="checkbox"/> Against   <b>Reason Against</b> </td> </tr> <tr> <td></td> <td> <b>Board or Commission Recommendation</b> </td> <td> <b>By</b>   <input checked="" type="checkbox"/> For      <input type="checkbox"/> Against  <input type="checkbox"/> No Action Taken  <input type="checkbox"/> For with revisions to conditions            (See Details column for conditions)         </td> </tr> <tr> <td></td> <td> <b>CITY COUNCIL ACTIONS (For Council use only)</b> </td> <td> <input type="checkbox"/> Pass      <input type="checkbox"/> Other  <input type="checkbox"/> Pass (as amended)      <input type="checkbox"/> Hold  <input type="checkbox"/> Council Sub.      <input type="checkbox"/> Do not pa         </td> </tr> </table>			<b>Specific Location and/or Address</b>  4524 E. 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**DETAILS**

27 October 1986 - Business Meeting

Motion was made to return the ordinance to the Common Council with a DO PASS recommendation, motion carried.

Of the 8 members present 7 voted in favor of approval one did not vote.

NOTE: The staff changed its recommendation on the required setback on the west side of the property to coincide with the request of the petitioner.

**POLICY/PROGRAM IMPACT**

Policy or Program Change	<input type="checkbox"/> No	<input type="checkbox"/> Yes
Operational Impact Assessment		

(This space for further discussion)

**Project Start**

**Date** August 1, 1986

**Projected Completion or Occupancy**

**Date** November 6, 1986

**Fact Sheet Prepared by**

**Date** November 6, 1986

Patricia Biancaniello

**Reviewed by**

**Date** 11/12/86

*Deb Barts*  
Reference or Case Number

COUNCILMANIC DISTRICT No.       

DIGEST SHEET

Appr.       

**TITLE OF ORDINANCE** Zoning Ordinance Amendment

ORIGINAL

DEPARTMENT REQUESTING ORDINANCE Land Use Management - CD&P

SYNOPSIS OF ORDINANCE 4524 E. State Bl

3-86-10-12

**EFFECT OF PASSAGE** Property is presently zoned R-1 - Single Family Residential.  
Property will become P.O.D. - Professional Office District.

**EFFECT OF NON-PASSAGE** Property will remain R-1 - Single Family Residential.

**MONEY INVOLVED (Direct Costs, Expenditures, Savings)**       

**(ASSIGN TO COMMITTEE (J.N.)**

BILL NO. Z-86-10-12

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS  
REFERRED AN (ORDINANCE) (RESOLUTION) amending the City of  
Fort Wayne Zoning Map No. S-14

*Hobby*  
HAVE HAD SAID (ORDINANCE) (RESOLUTION) UNDER CONSIDERATION AND BEG  
LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)  
(RESOLUTION)

*Reid*  
YES

NO

BEN A. EISBART  
CHAIRMAN

*Janet G. Bradbury*  
JANET G. BRADBURY  
VICE CHAIRWOMAN

*Donald J. Schmidt*  
DONALD J. SCHMIDT

*Thomas C. Henry*  
THOMAS C. HENRY

*Charles B. Redd*  
CHARLES B. REDD

CONCURRED IN 11-25-86

SANDRA E. KENNEDY  
CITY CLERK